

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

MARCUS JUDE COMEAUX

:

VERSUS

:

CIVIL ACTION NO. 6:13-CV-00768

MICHAEL W. NEUSTROM, ET AL

:

JUDGE HAIK, MAG. JUDGE HANNA

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JUDGMENT

Hearing on the Motion for Attorney's Fees and Costs Pursuant to 42 U.S.C.A. § 1988, F.R.C.P. Rule 54, and 28 U.S.C.A. § 1927 filed by defendant, CORRINE CADDY [Court Doc. #35], as well as the Motion for Leave to File Memorandum in Opposition to defendant's Motion for Attorney's Fees and Costs filed by plaintiff, MARCUS COMEAUX [Court Doc. #39] was held in Open Court on September 18, 2014 before the Honorable Richard T. Haik, Sr.

Present in Court were: Mr. Stephen S. Spring for plaintiff and Ms. Joy C. Rabalais of the Law Firm of Borne & Wilkes, L.L.C. on behalf of defendant.

After hearing the arguments of the parties and considering the evidence presented, the facts, law and argument of counsel, the Court ruled, as follows (as is reflected in the Court's Minute Entry of September 18, 2014) [Court Doc. #42]:

IT IS ORDERED, ADJUDGED AND DECREED that plaintiff's Motion for Leave to File Memorandum in Opposition to defendant's Motion for Attorney's Fees and Costs [Court Doc. #39] is hereby **DENIED**.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that defendant's Motion for Attorney's Fees and Costs Pursuant to 42 U.S.C.A. § 1988, F.R.C.P. Rule 54, and 28

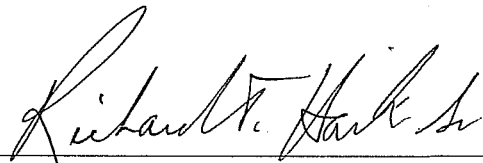
U.S.C.A. § 1927 is hereby **GRANTED**, with the Court ruling that the lawsuit filed against defendant, CORRINE CADDY, was frivolous and vexatious, and as such, defendant is hereby granted her attorney's fees and costs pursuant to 42 U.S.C.A. § 1988, F.R.C.P. Rule 54, and 28 U.S.C.A. § 1927, to include those costs for preparation for the hearing on her Motion to Assess Attorney's Fees and Costs and attendance thereon, in addition to those amounts outlined in the Affidavit of John F. Wilkes, III, as submitted into evidence at Court Doc. #35-1].

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Court ruled specifically that the hourly rate of \$150.00/hour charged by defense counsel was extremely reasonable under the circumstances.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff's counsel, Stephen S. Spring and J. Christopher Alexander, Sr. be and are hereby taxed all costs incurred in this matter by the prevailing party defendant, CORRINE CADDY. Pursuant to F.R.C.P. 54(d), costs are hereby taxed in the amount of \$439.54.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff's counsel, Stephen S. Spring and J. Christopher Alexander Sr. be and are hereby ordered to reimburse defendant, Corrine Caddy's legal expenses in the amount of \$21,702.00.

Signed this 1st day of October, 2014, in Lafayette, Louisiana.


HONORABLE RICHARD T. HAIK, SR.